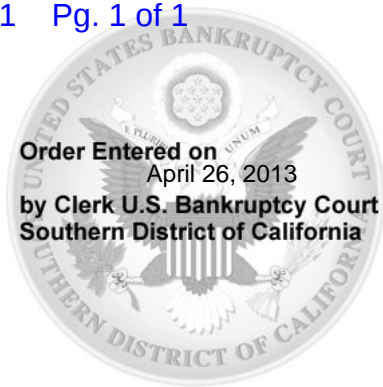


CSD 2011 [12/01/09]

Name, Address, Telephone No. & I.D. No.

Thomas H. Billingslea, Jr., [144483] Chapter 13 Trustee
 Jenny Judith Ha [231476] Staff Attorney
 Todd Headden [269282] Research Attorney
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**UNITED STATES BANKRUPTCY COURT**

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

James Donald Shepard
 Palursa Shepard

BANKRUPTCY NO.13-03729-LT13

Debtor.

TRUSTEE'S MOTION TO DISMISS CASE AND ORDER

- ☒ The undersigned Trustee respectfully represents that:
 More than fourteen (14) days have elapsed since the filing of the petition and the debtor has failed to timely file either schedules, statements and/or plan required pursuant to Fed. R. Bankr. P. 1007(b) or a motion for extension of time pursuant to Fed. R. Bankr. P. 1007(a)(4).
☐ The debtor failed to appear and testify at the regularly scheduled and duly noticed First Meeting of Creditors held on _____ pursuant to 11 U.S.C. § 341(a) or any continued Meeting of Creditors scheduled thereafter.
☐ If checked, this case was filed by the filing of a joint petition and this motion applies to only one of the debtors, namely: _____.
 Wherefore, the Trustee moves that the within case be dismissed without prejudice.

Dated: April 26, 2013

/s/ Jenny Judith Ha, Staff Attorney for

☐ Chapter 7 Trustee ☒ Chapter 13 Trustee
ORDER**IT IS HEREBY ORDERED AND ADJUDGED THAT:**

1. The above-entitled case is dismissed without prejudice as to the above-named debtor only.
2. All related adversary proceedings which are pending are also dismissed subject to the provisions of Local Bankruptcy Rule 7041-3.
3. All stays now in effect for this case are vacated and the provisions of 11 U.S.C. § 349 shall hereafter apply.

DATED: April 26, 2013

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

By: /s/ Jenny Judith Ha, Staff Attorney for
 Trustee

Judge, United States Bankruptcy Court